

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF SOUTH CAROLINA
CHARLESTON DIVISION

Joanne Richman,)	Civil Action No.: 2:24-cv-01138-BHH
)	
Plaintiff,)	
)	AMENDED SUMMONS
v.)	
)	
RB Historic Charleston, LLC, d/b/a)	
Emeline,)	
)	
Defendant.)	
_____)	

TO THE DEFENDANTS NAMED ABOVE:

YOU ARE HEREBY SUMMONED and required to answer the Complaint herein, a copy of which is herewith served upon you, and to serve a copy of your Answer to this Complaint upon the subscriber, at the address shown below, within thirty (30) days after service hereof exclusive of the day of such service, and if you fail to answer the Complaint, judgment by default will be rendered against you for the relief demanded in the Complaint.

THE MELONAKOS LAW FIRM
1310 Augusta Street
Greenville, SC 29605
864-485-5555
864-752-1600 (Fax)
ryan@scinjuryattorney.com
mike@scinjuryattorney.com

s/ Ryan P. Alderson
Ryan P. Alderson
(Fed. ID No. 12693)
Michael A. Melonakos
(Fed. ID No. 11400)
Attorneys for Plaintiffs

Dated: March 20, 2024

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF SOUTH CAROLINA
CHARLESTON DIVISION

Joanne Richman,)	Civil Action No.: 2:24-cv-01138-BHH
)	
Plaintiff,)	
)	
v.)	<u>AMENDED COMPLAINT</u>
)	(Jury Trial Demanded)
)	
RB Historic Charleston, LLC, d/b/a)	
Emeline,)	
)	
Defendant.)	
)	

COMES NOW, Joanne Richman, by and through the undersigned counsel of record and files this Complaint for Damages against Defendants and hereby shows this Honorable Court as follows:

PARTIES, JURISDICTION, VENUE, AND SERVICE OF PROCESS

1. The Plaintiff is a citizen of the State of Georgia and, by bringing this action, subjects herself to the jurisdiction of this Court.
2. The Defendant, RB Historic Charleston, LLC, d/b/a Emeline (hereinafter “Defendant”) is a foreign corporation that does business as Emeline, a hotel located in and conducting business in Charleston, South Carolina, and is subject to the jurisdiction of this Court. The Defendant may be served with process at: Corporation Service Company, 3366 Riverside Drive, Suite 103, Upper Arlington, Ohio 43221.
3. The incident giving rise to this action occurred in the Emeline hotel located at 181 Church Street, Charleston, South Carolina 29401.
4. Venue and jurisdiction are proper for the foregoing reasons.

FACTUAL BACKGROUND

5. The Plaintiff repeats the foregoing allegations as if repeated here, verbatim.
6. On 5/31/2023, the Plaintiff was a customer, patron, and invitee for the benefit of the Defendant at the Emeline Hotel located at 181 Church Street, Charleston, Charleston County, South Carolina.
7. While descending the stairs in Defendant's hotel, Plaintiff slipped due to design defects within the Defendant's control and fell.
8. As a result of this fall, Plaintiff sustained serious injury.
9. Plaintiff alerted Defendant of this incident following its occurrence.
10. The force of the fall directly and proximately caused the Plaintiff to suffer injuries and damages.

FOR A FIRST CAUSE OF ACTION

(Negligence and/or Recklessness)

11. The Plaintiff repeats the foregoing allegations as if repeated here, verbatim.
12. The Defendant owed the Plaintiff certain duties, including, but not limited to, duties of care to:
 - a. inspect the premises for dangerous conditions and other hazards;
 - b. observe the condition of the staircase;
 - c. update the staircase as required by State law, applicable building codes, industry standards, and best practices;
 - d. maintain the premises to be free of dangerous conditions and other hazards so as to be safe for its customers;
 - e. repair or otherwise remedy any dangerous conditions and other hazards so as to be safe for its customers;
 - f. warn customers of dangerous conditions and other hazards;
 - g. properly train its employees to repair or otherwise remedy any dangerous conditions and other hazards so as to be safe for customers;
 - h. properly supervise the correct cleaning and maintenance of the subject staircase;

- i. enact policies to keep customers safe on its premises;
 - j. perform other duties as will be shown through discovery and at trial.
13. Breaches of these duties of care constitute negligence and sometimes recklessness.
14. The Defendant breached its duty of care to the Plaintiff in one or more of the following ways:
- a. failing to inspect the premises for dangerous conditions or other hazards;
 - b. failing to observe the condition of the staircase;
 - c. failing to update the staircase as required by State law, applicable building codes, industry standards, and best practices;
 - d. failing to maintain the premises to be free of dangerous conditions or other hazards, thus making it unsafe for customers;
 - e. failing repair or otherwise remedy any dangerous conditions or other hazards, thus making it unsafe for customers;
 - f. failing to warn customers of dangerous conditions or other hazards;
 - g. failing to properly train its employees to repair or otherwise remedy any dangerous conditions and other hazards so as to be safe for customers;
 - h. failing to properly supervise the correct cleaning and maintenance of the subject staircase;
 - i. failing to enact policies to keep customers safe on its premises;
 - j. in such other ways as will become evident through discovery.
15. As a direct and proximate result of the Defendant's negligence and/or recklessness, the Plaintiff has suffered some, or all, of the following injuries and damages:
- a. expenses for medical care and treatment, in the past, present, and future;
 - b. physical pain and suffering;
 - c. emotional trauma;
 - d. partial and permanent impairment of physical function;
 - e. inconvenience;
 - f. temporary and permanent partial inability to engage in activities of daily living;
 - g. lost time and opportunity to earn income;
 - h. property damage;
 - i. loss of enjoyment of life; and
 - j. other damages that will be shown through discovery and at trial.

16. The Plaintiff is therefore informed and believes she is entitled to judgment against the Defendant for damages.

PRAYER FOR RELIEF

WHEREFORE, the Plaintiff prays for a jury trial, and judgment against the Defendant for actual damages, nominal damages, the costs of this action, and for such other and further relief as the Court deems just and proper.

Respectfully submitted,

THE MELONAKOS LAW FIRM
1310 Augusta Street
Greenville, SC 29605
864-485-5555
864-752-1600 (Fax)
ryan@scinjuryattorney.com
mike@scinjuryattorney.com

s/ Ryan P. Alderson
Ryan P. Alderson
(Fed. ID No. 12693)
Michael A. Melonakos
(Fed. ID No. 11400)
Attorneys for Plaintiffs

Dated: March 20, 2024